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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,086	04/10/2007	Arie Kroon	00601.0459-US-WO	6330
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Altera Law Group, LLC				
220 S 6 St Suite 1700				
Minneapolis, MN 55402				
EXAMINER				
HECKERT, JASON MARK				
ART UNIT		PAPER NUMBER		
1711				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,086

Applicant(s)

KROON, ARIE

Examiner

JASON HECKERT

Art Unit

1711

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/CD)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date 4/12/07

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14, 16-29, 31-55 rejected under 35 U.S.C. 103(a) as being unpatentable over Biesheuvel et al (WO 03/050045) in view of Sergio et al (US 2003/0159447). The instant application is drawn to a water treatment apparatus for dispensing mineral water as a beverage, and a cleaning assembly for such unit. Biesheuvel discloses the claimed water treatment apparatus with a tap water inlet, mineral dosing unit, water processing means, and a control device 24 which performs water processing programs (figures 1-4, claims 1-35). Biesheuvel does not disclose a cleaning assembly provided to the unit for completing a sanitation program. Sergio discloses a beverage dispenser with an integral sanitation unit 30 for performing a prescribed cleaning process on the water treatment apparatus. Item 31 constitutes a cleaning agent vessel, from which cleaning agent can be supplied. Sergio discloses that the sanitation unit 30 is controlled by central processing unit 10, which is the same control unit that controls the water processing methods. It would have been obvious at the time of invention to modify Biesheuvel and include sanitation means, as taught by Sergio, in order to sanitize the water processing machine.

3. Both Biesheuvel and Sergio disclose water inlets to the processing apparatus. However, Sergio does not disclose an inlet to the cleaning agent tank 31. However, considering that a supply of water is necessary, such a modification is considered to be routine. Furthermore, one of ordinary skill would readily see the advantage to utilizing the same water source for both inlets, by means of a branch or valve, in order to conserve space and materials. Thus, such a modification is considered to be within the scope of Sergio's disclosure.
4. The cleaning system of Sergio is depicted as being connected with the water supply apparatus downstream of the inlet 1. Sergio also teaches that the cleaning agent travels through duct 34 to a delivery nozzle. Sergio does not limit his device to one point of connection. Examiner believes it to be obvious to connect the sanitation device upstream of the process components to be cleaned, in order for the water producing device to be cleaned. This is considered to be well within the skill of one practicing the art. If the connection was downstream of those components, they would not be cleaned.
5. None of the devices of Biesheuvel or Sergio are disclosed as being purely mechanical and not running off of a common energy source. Thus, terminals for electrical energy are considered to be obvious, if not inherent, in both of the prior art teachings. Furthermore, control units generally include CPUs and circuit boards that require electrical energy to function properly. Such modifications are considered to be within the scope of Biesheuvel and Sergio, and are considered to be obvious to one of ordinary skill.

6. Biesheuvel makes numerous references to filters (items 10 and 42) for water purification in the water processing unit. These filters remove sediment, rust, odorants, and microorganisms. These filters may be reverse osmosis membranes, ion exchange mechanisms, distillation devices, or carbon filters. Including such a filter or purification means in the cleaning apparatus is considered to be obvious, as it would provide the very same benefits as providing a filter to the water processing apparatus. One would not want to clean a system with dirty water, thus including a filter or purification device is considered to be obvious to one of ordinary skill.

7. Sergio teaches fluid outlet 15, and teaches that the cleaning fluid outlet 34 is upstream of outlet 15. Thus, the cleaning fluid is entirely capable of flushing the delivery nozzle 15, and is therefore capable of cleaning the device's outlet conduits.

8. Claims 15, 30, 56 rejected under 35 U.S.C. 103(a) as being unpatentable over Biesheuvel et al (WO 03/050045) in view of Sergio et al (US 2003/0159447) and further in view of Carhuff et al. As stated previously, the combination of Biesheuvel in view of Sergio obviates the above claims. However neither of the two references teaches an outflow from the processing unit that flows into the cleaning unit. However, this arrangement is considered to be conventional in cleaning equipment (especially that of food related products). Carhuff teaches a clean-in-place design for a food or beverage dispenser. Specifically, Carhuff teaches a reservoir 980 that supplies various cleaning solutions to the processing equipment. The fluid is capable of recirculating back to the cleaning equipment, and to a common drain (items 940/941, paragraphs 121-141). Thus, there is a flow path from the cleaning equipment to the devices to be cleaned,

and then back to the cleaning equipment for waste disposal. This structure reads on the outflow and outflow inlet of claims 15, 30, and 56. It would have been obvious at the time of invention to modify Biesheuvel in view of Sergio, and further include a recirculation device and drain, as taught by Carhuff, in order to clean the water processing equipment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON HECKERT whose telephone number is (571)272-2702. The examiner can normally be reached on Mon. to Friday, 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/

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Supervisory Patent Examiner, Art
Unit 1711

JMH